

March 24, 2009

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: **REVISED** - MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, March 25, 2009

MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.

MAG Office, Suite 200

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
REVISED TENTATIVE AGENDA
March 25, 2009**

| | | <u>COUNCIL ACTION REQUESTED</u> |
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| 1. | <u>Call to Order</u> | |
| 2. | <u>Pledge of Allegiance</u> | |
| 3. | <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. | 3. Information. |
| 4. | <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest. | 4. Information and discussion. |
| 5. | <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*). | 5. Approval of the Consent Agenda. |

ITEMS PROPOSED FOR CONSENT*

MINUTES

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| *5A. <u>Approval of the February 25, 2009, Meeting Minutes</u> | 5A. Review and approval of the February 25, 2009, meeting minutes. |
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TRANSPORTATION ITEMS

- *5B. Amendment of the FY 2009 MAG Unified Planning Work Program and Annual Budget to Accept FY 2009 Federal Highway Administration Planning Funding

Each year, MAG prepares a Unified Planning Work Program and Annual Budget that lists anticipated revenues for the coming year. On February 10, 2009, MAG was notified by the Arizona Department of Transportation that MAG received an additional amount of \$134,537.35 of FY 2009 Federal Highway Administration Planning (PL) funding. An amendment to the FY 2009 MAG Unified Planning Work Program and Annual Budget is needed to include this additional amount. On March 11, 2009, the Management Committee recommended amending the Work Program. Please refer to the enclosed material.

- *5C. Consultant Selection for the MAG Activity-Based Travel Forecasting Model Development (Phase I)

In May 2008, the MAG Regional Council approved the FY 2009 Unified Planning Work Program and Annual Budget, which included \$270,000 to conduct a first phase of the development of activity-based travel forecasting model (ABM) as a part of the ongoing contracts for on-call consulting services for transportation modeling. The project will ensure that current and future travel forecasting needs are addressed in a timely manner and will allow MAG to implement a new generation of the travel forecasting models that is required by emerging planning needs in the region. On December 18, 2008, MAG issued a Request for Proposals to conduct the study to the consultants pre-qualified through the on-call support contractual process. In response, three proposals were received. A multi-agency review team recommended to MAG the selection of PB Americas, Inc. to conduct the development. In addition, the team recommended that if negotiations with PB Americas, Inc. on the task order are not successful, that MAG pursue negotiations with its second choice, Cambridge Systematics, Inc. The Management Committee

- 5B. Amend the FY 2009 MAG Unified Planning Work Program and Annual Budget to accept \$134,537.35 of FY 2009 Federal Highway Administration Planning Funding.

- 5C. Select PB Americas, Inc. to conduct the MAG Development of Activity-based Travel Forecasting Model (ABM) - Phase I for an amount not to exceed \$270,000. If negotiations with PB Americas, Inc. are not successful, that MAG negotiate with its second choice, Cambridge Systematics, Inc., to conduct the project.

concurring with the recommendation. Please refer to the enclosed material.

AIR QUALITY ITEMS

*5E. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed administrative modification involves several Arizona Department of Transportation projects as part of the American Recovery and Reinvestment Act, including projects on Interstate-10, Interstate-17, and US 60. In addition, the amendment and administrative modification includes City of Phoenix Public Transit projects, Arizona Avenue Bus Rapid Transit, Country Club Drive and US 60 Park-and-Ride, East Valley Operations and Maintenance Facility Expansion and Upgrade, and Goodyear Park-and-Ride. The amendment includes projects that may be categorized as exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

5E. Consultation.

GENERAL ITEMS

*5F. 2009 MAG Human Services Coordination Transportation Plan Update

The federal Safe and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires the establishment of a locally developed, coordinated public transit-human services transportation plan for all Federal Transit Administration (FTA) programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program (Section 5310); the Job Access and Reverse Commute program (Section 5316); and the New Freedom program (Section 5317). MAG has developed this coordination plan each year in compliance with this requirement since 2007. The MAG Regional Council approved

5F. Approval of the 2009 MAG Human Services Coordination Transportation Plan Update.

the 2008 Plan in January 2008. The 2009 MAG Human Services Coordination Transportation Plan Update was recommended for approval by the MAG Human Services Technical Committee and the MAG Management Committee. Please refer to the enclosed material.

*5G. Amendment of the FY 2009 MAG Unified Planning Work Program and Annual Budget to Include Funding to Participate in a Brookings Intermountain Study and to Include Funding to Have Arizona State University North American Center for Transborder Studies Provide Research Regarding the Global Competitiveness of Arizona and the Sun Corridor

The Brookings Metropolitan Policy Program is proposing a partnership with leading Intermountain West institutions and leaders to work out specific collaborative steps among the five "Mountain Megas" (and their states) to advance prosperity in their region through the achievement of specific, catalyzing federal policy reforms. Brookings is seeking approximately \$20,000 from the Mountain Mega states to convene working groups and conduct the research. MAG is estimating that 74.51 percent would be needed (\$14,902) if MAG, the Pima Association of Governments and the Central Arizona Association of Governments participated. If this participation did not occur, up to \$20,000 from MAG would be needed.

For the Sun Corridor area, the Arizona State University North American Center for Transborder Studies has proposed to describe the global and North America forces that impact MAG and vice versa. This paper would be the first iteration to conduct the planning analysis necessary to develop Maricopa County, the Sun Corridor and then the Intermountain West as more than just infrastructure and transportation, but as a job creation and economic "cluster." Staff, consulting and associated expense are estimated to be \$12,000. MAG is estimating that 74.51 percent would be needed (\$8,942) if MAG, the Pima Association of Governments and the Central Arizona Association of Governments participated.

5G. Amend the FY 2009 MAG Unified Planning Work Program and Annual Budget to include up to \$20,000 of MAG federal funds if needed to participate with the Brookings Metropolitan Policy Program on an Intermountain partnership and to amend the Work Program to include up to \$12,000 of MAG federal funds if needed to have the Arizona State University Center for Transborder Studies to conduct a study to describe the global and North America forces that impact the MAG region and the Sun Corridor.

If this participation did not occur, up to \$12,000 from MAG would be needed. On March 11, 2009, the Management Committee recommended the Work Program be amended. Please refer to the enclosed material.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6A. ADOT Portion of the American Recovery and Reinvestment Act Funds

On February 18, 2009, staff reported to the Transportation Policy Committee that MAG expected to receive approximately \$99 to \$188 million of the Arizona Department of Transportation (ADOT) portion of the American Recovery and Reinvestment Act (ARRA) funds. Staff noted that the State Transportation Board would be considering the MAG allocation at its meeting on February 20, 2009. The State Transportation Board allocated \$129.4 million to the MAG region. On February 25, 2009, the Regional Council approved a ranked list of projects cooperatively developed with ADOT for the ADOT portion of the ARRA funds totaling approximately \$194 million. The Regional Council also approved having the Chair of the Regional Council send a letter to the State Transportation Board forwarding the projects and also to send a letter to the Senate and House leadership requesting assistance in MAG receiving an equitable share of the ADOT portion of the ARRA funds. On March 3, 2009, the State Transportation Board heard testimony regarding the allocation of the ADOT portion of the ARRA funds. Following the testimony, the Board went into executive session and upon returning announced they had reaffirmed their decision made on February 20, 2009, to provide the MAG region 37 percent of the funds. It was noted that this was a unanimous decision. The Board then considered projects for the ADOT portion of the ARRA funds. This item was on the March 2009 agendas of the MAG Management Committee and Transportation Policy Committee. Please refer to the enclosed material.

6A. Information and discussion.

6B. MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds Project and Allocation Scenarios

The American Recovery and Reinvestment Act (ARRA) legislation sub-allocates 30 percent of the funding (\$156.57 million) to local jurisdictions. The Arizona Department of Transportation has notified MAG that the amount being sub-allocated to MAG is \$104.6 million. Metropolitan Planning Organizations have one year to obligate the funds. The Transportation Policy Committee met on February 18, 2009, and requested a set of scenarios to fund projects for the MAG sub-allocated portion of the ARRA funds. These scenarios were presented and discussed at the MAG Transportation Review Committee and MAG Management Committee. The Management Committee recommended approval of Scenario #1, Option A, with a Minimum Agency Allocation of \$500,000 plus population dated March 10, 2009, for the distribution of the MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds in accordance with the following: 1. Establish a deadline of April 3, 2009, to have MAG member agencies define and submit projects to MAG for the sub-allocated funds due to the very limited time to obligate the projects. 2. Have MAG prepare the necessary administrative adjustments/amendments to the FY 2008-2012 MAG Transportation Improvement Program and/or Regional Transportation Plan as appropriate. 3. Have MAG conduct the air quality consultation/conformity if necessary. 4. Establish a deadline of November 30, 2009, for projects to be obligated. Funds from projects that are not obligated will be reprogrammed to meet the federal obligation date of February 17, 2010, in order for Arizona to be eligible to receive funding from other states that are unable to obligate their funds. On March 18, 2009, the Transportation Policy Approval of Scenario #1, Option A, with a Minimum Agency Allocation of \$500,000 plus population dated March 17, 2009, for the distribution of the MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds in accordance with the following:

- 6B. Approval of Scenario #1, Option A, with a Minimum Agency Allocation of \$500,000 plus population dated March 17, 2009, for the distribution of the MAG Sub-Allocation Portion of the American Recovery and Reinvestment Act Funds in accordance with the following: 1. Establish a deadline of April 3, 2009, to have MAG member agencies define and submit projects to MAG for the sub-allocated funds due to the very limited time to obligate the projects. 2. Have MAG prepare the necessary administrative adjustments/amendments to the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan as appropriate. 3. Have MAG conduct the air quality consultation/conformity if necessary. 4. Establish a deadline of November 30, 2009 for projects to be obligated. Funds from projects that are not obligated will be reprogrammed to meet the federal obligation date of March 2, 2010 in order for Arizona to be eligible to receive funding from other states that are unable to obligate their funds.

1. Establish a deadline of April 3, 2009, to have MAG member agencies define and submit projects to MAG for the sub-allocated funds due to the very limited time to obligate the projects. 2. Have MAG prepare the necessary administrative adjustments/amendments to the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan as appropriate. 3. Have MAG conduct the air quality consultation/conformity if necessary. 4. Establish a deadline of November 30, 2009 for projects to be obligated. Funds from projects that are not obligated will be reprogrammed to meet the federal obligation date of February 17, 2010 in order for Arizona to be eligible to receive funding from other states that are unable to obligate their funds. Minor technical corrections have been made as a result of new information received from Federal Highway Administration regarding obligation deadlines. Please refer to the enclosed material.

6C. MAG Regional Portion of the American Recovery and Reinvestment Act -Transit

The American Recovery and Reinvestment Act (ARRA) regional portion for transit is in the range of \$65 million to \$75 million. The legislation requires that 50 percent of the transit funds be obligated within 180 days. The Regional Public Transportation Authority (RPTA) Board met on February 19, 2009, and recommended project selection criteria. RPTA, MAG, and member agencies are working collaboratively in this analysis. This item was presented at the March 11, 2009, meeting of the MAG Management Committee, and at the Transportation Policy Committee on March 18, 2009, for information and discussion. The RPTA Board met on March 19, 2009, and took action regarding projects and amounts, as noted in the attached letter dated March 19, 2009. Please refer to the enclosed material.

6C. Information, discussion, and possible action to approve a list of Transit projects for the Transit portion of the American Recovery and Reinvestment Act funds of 2009, contingent upon the projects receiving the necessary administrative adjustments and amendments to the MAG FY 2008-2012 Transportation Improvement Program and air quality conformity and consultation.

6D. Project Changes – Administrative Modification to the FY 2008-2012 MAG Transportation Improvement Program for Funding from the American Recovery and Reinvestment Act of 2009

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act (ARRA). The components of the bill and policy implications are discussed in a separate agenda item. In response to the expedited time frames for transportation projects in the Act, and administratively modifying the FY 2008-2012 Transportation Improvement Program (TIP) and, as appropriate, the Regional Transportation Plan (RTP) 2007 Update, may be necessary to move projects forward. The FY 2008-2012 TIP and RTP 2007 Update were originally approved by the MAG Regional Council on July 25, 2007. On February 25, 2009, the MAG Regional Council voted to approve a cooperatively developed list of MAG Region Highway - ADOT/State projects in priority order for the ADOT portion of the ARRA funds of 2009 and that the projects be forwarded to ADOT contingent upon projects finally selected receiving the necessary administrative adjustments and amendments to the MAG TIP and air quality conformity and consultation. The Arizona State Transportation Board met on March 3, 2009, to discuss highway projects for the use of funds allocated to the ARRA. The Board approved the MAG listing of projects for the ARRA funds. It was noted that discrepancies between the priorities submitted by MAG would be clarified before the next State Transportation Board meeting. The necessary administrative modifications to the FY 2008-2012 MAG Transportation Improvement Program for approximately \$129.4 million allocated by the Board are presented for consideration by the Regional Council. The Management Committee and the Transportation Policy Committee recommended approval of administrative modifications to the FY 2008-2012 MAG Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan (RTP) 2007 Update for funding from the American Recovery and Reinvestment Act of

6D. Approval of administrative modifications to the FY 2008-2012 Transportation Improvement Program, as appropriate, to the Regional Transportation Plan 2007 Update, for funding from the American Recovery and Reinvestment Act of 2009 as shown in the attached table.

2009, as noted in Table A. The RPTA Board met on March 19, 2009, for further consideration of funding scenarios for the MAG Region Transit Portion of the ARRA. The MAG Regional Council will be briefed on this discussion in a separate agenda item, #6C. Table B explains the project details for the necessary TIP amendment and administrative modifications for funding from the American Recovery and Reinvestment Act of 2009. Transit projects listed in Table B were not heard at the MAG Management Committee nor the Transportation Policy Committee meetings. Please refer to the enclosed material.

GENERAL ITEMS

7. Census 2010 Outreach Efforts

The U.S. Constitution mandates a count of every person living in the United States every 10 years. The 2010 Decennial Census will take place on April 1, 2010. Census data are used to determine how to allocate more than \$300 billion in federal funds to states and communities every year. To assist jurisdictions in getting the word out about the importance of filling out the census forms and ensuring high levels of participation, MAG has implemented the "Count to 10" Census Outreach Group. The group has been working with the City of Phoenix Complete Count Committee Media Subcommittee on developing outreach strategies, including paid advertising. The groups have recommended a paid advertising approach that includes a mix of cable and network television buys, radio buys, print advertising, and minority media advertising. The media effort has been estimated to range from \$327,495 to \$426,815. In previous Decennial Census campaigns, the cost of advertising has been borne by the local jurisdictions working with the City of Phoenix. This year, due to the extraordinary fiscal challenges facing the local governments, MAG has asked the Federal Highway Administration (FHWA) if a portion of the MAG federal Surface Transportation Program (STP) funds could be used to pay 50 percent of the costs for these outreach-related expenses. The FHWA has responded that it will allow MAG to use its federal

7. Approval of the selection of Idea Two for the 2010 Census advertising costs and that the FY 2009 MAG Unified Planning Work Program and Annual Budget be amended to use MAG Federal Highway Administration STP funds not to exceed \$213,408 to pay for half of the 2010 Census advertising costs, with the understanding that if federal stimulus funds are received for this purpose, a commensurate reduction would be made to the request for funding.

STP planning funds for half of the census advertising costs, with an understanding that the MAG federal funds portion would not exceed \$234,500. A range of costs has been received, with the primary difference being if network television advertising will be used. The Management Committee recommended that Idea Two be selected and to amend the FY 2009 MAG Unified Planning Work Program and Annual Budget to include the funds with the understanding that the MAG federal funds portion would not exceed \$213,408 (revised from \$234,500, which was based on an earlier media cost estimate). Please refer to the enclosed material.

8. Development of the FY 2010 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed incrementally in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies and approved by the Regional Council in May. This presentation and review of the draft FY 2010 MAG Unified Planning Work Program and Annual Budget represents the budget document development to date. The elements of the budget document are about 70 percent complete. Please refer to the enclosed material.

9. Legislative Update

An update will be provided on legislative issues of interest.

10. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

8. Information and discussion.

9. Information and discussion.

10. Information.